

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

HOOPS ENTERPRISE LLC; and ANTHONY  
KORNRUMPF,

Defendants.

No. C 10-2769 CW

ORDER GRANTING  
MOTION TO FILE  
UNDER SEAL  
(Docket No. 123)

AND ALL RELATED CLAIMS

On November 16, 2011, Defendants and Counter-claimants Hoops Enterprise LLC and Anthony Kornrumpf filed a motion to file under seal Exhibit Four to their Opposition to Plaintiff Adobe System Incorporated's Motion for Entry of a Preliminary Injunction. Defendants lodged with the Court a copy of Exhibit Four, along with a redacted version of the document.

In support of their motion, Defendants submitted a declaration that stated that the portions of Exhibit Four they seek to seal contain proprietary trade secrets, including the names of Defendants' suppliers and the business practices employed by Defendants in dealing with their suppliers. Defendants represented that this information is not generally disclosed to the public or to their competitors. Defendants also refer to a July 25, 2011 order, in which the Magistrate Judge had found that this information constituted trade secrets and was entitled to

1 protection from public disclosure, while ordering disclosure to  
2 Plaintiff. This Court has also previously ordered that this  
3 information be filed under seal.

4 Because the public interest favors filing all court documents  
5 in the public record, any party seeking to file a document under  
6 seal must demonstrate good cause to do so. Pintos v. Pac.  
7 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot  
8 be established simply by showing that the document is subject to a  
9 protective order or by stating in general terms that the material  
10 is considered to be confidential, but rather must be supported by  
11 a sworn declaration demonstrating with particularity the need to  
12 file each document under seal. See Civil Local Rule 79-5(a).

13 Defendants have provided good cause to seal portions of  
14 Exhibit Four. Accordingly, Defendants' motion to seal is GRANTED.

15 Within four days of the date of this Order, Defendants shall  
16 file Exhibit Four under seal and the redacted version of Exhibit  
17 Four on the public record.

18 IT IS SO ORDERED.

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20 Dated: 11/22/2011

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CLAUDIA WILKEN  
United States District Judge